

7 December 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Second Spouse Amendment to CIA Retirement Act

1. In an effort to keep pace with the so-called "second spouse" amendments to the Retirement Act (pending before the Congress in S. 437), parallel amendments for CIARD were prepared by OLC on 17 November 1970 and coordinated with OGC and DDS (Attachment A).

2. The amendments were found in order, but the DDS indicated that he did not want them pushed if it would delay progress of our omnibus amendments (S. 4571).

3. In view of the imminent passage of the Civil Service amendments by the House 7 December, the situation was again reviewed within OLC and the decision was made not to push the second spouse amendments since they had not yet passed and since the omnibus amendments are to be acted upon in executive session by the Senate Armed Services Committee on 8 December and incorporation of new material at this time most likely would be rejected by Ed Braswell, Chief of Staff, Senate Armed Services Committee, and could upset favorable consideration of our proposed omnibus amendments on 8 December.

4. Statistical Information

STATINTL

---The so-called second spouse amendments also eliminate the dependency requirement for a spouse to receive an annuity based on death-in-service of a female employee. [REDACTED] in the Retirement Branch of the Office of Personnel informed me that there had been five female deaths-in-service cases to date. In no case was there a surviving spouse.)

---The amendments also permit designation of a surviving spouse by an unmarried participant who marries following retirement. (Per [REDACTED] one case to his knowledge.)

---Information on predeceased spouses is necessarily fragmentary as the fact becomes relevant only after a participant who elected a survivor annuity dies.

[REDACTED]
Assistant Legislative Counsel

Distribution:

- 1 - [REDACTED] /OP
- 1 - OLC Subject File
- 1 - OLC Chrono

OLC:LLM:rcr

STATINTL

TO: [REDACTED]		
ROOM NO.	BUILDING	
REMARKS:		
<p>As you probably know, the Senate agreed to the House amendments on S. 437 on 29 December. As of this afternoon the White House had no record as to whether it had been signed by the President.</p> <p>[REDACTED]</p> <p>(Note sent with copy of MR to [REDACTED])</p>		
FROM:		
ROOM NO.	BUILDING	EXTENSION

STATINTL

STATINTL

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)